



**CITY OF SUNNYVALE
REPORT
Planning Commission**

February 23, 2004

SUBJECT: **2002-0929** - Application for related proposals for a 5,250 square foot site located at **1090 Essex Avenue** in an R-0 (Low Density Residential) Zoning District (APN: 110-11-016)

Motion **Variance** from SMC (Sunnyvale Municipal Code) section 19.34.030 to allow a combined first story side yard setback of 10'6" where 12' is required and from SMC section 19.34.080 to allow combined two-story setback of 12' where 18' is required.

Motion: **Design Review** to allow a new two-story home for a total of 3,424 square feet resulting in 62% FAR (Floor Area Ratio) where 45% is allowed without a Planning Commission Review.

REPORT IN BRIEF

Existing Site Single Family Home

Conditions

Surrounding Land Uses

North Single Family Residential

South Single Family Residential

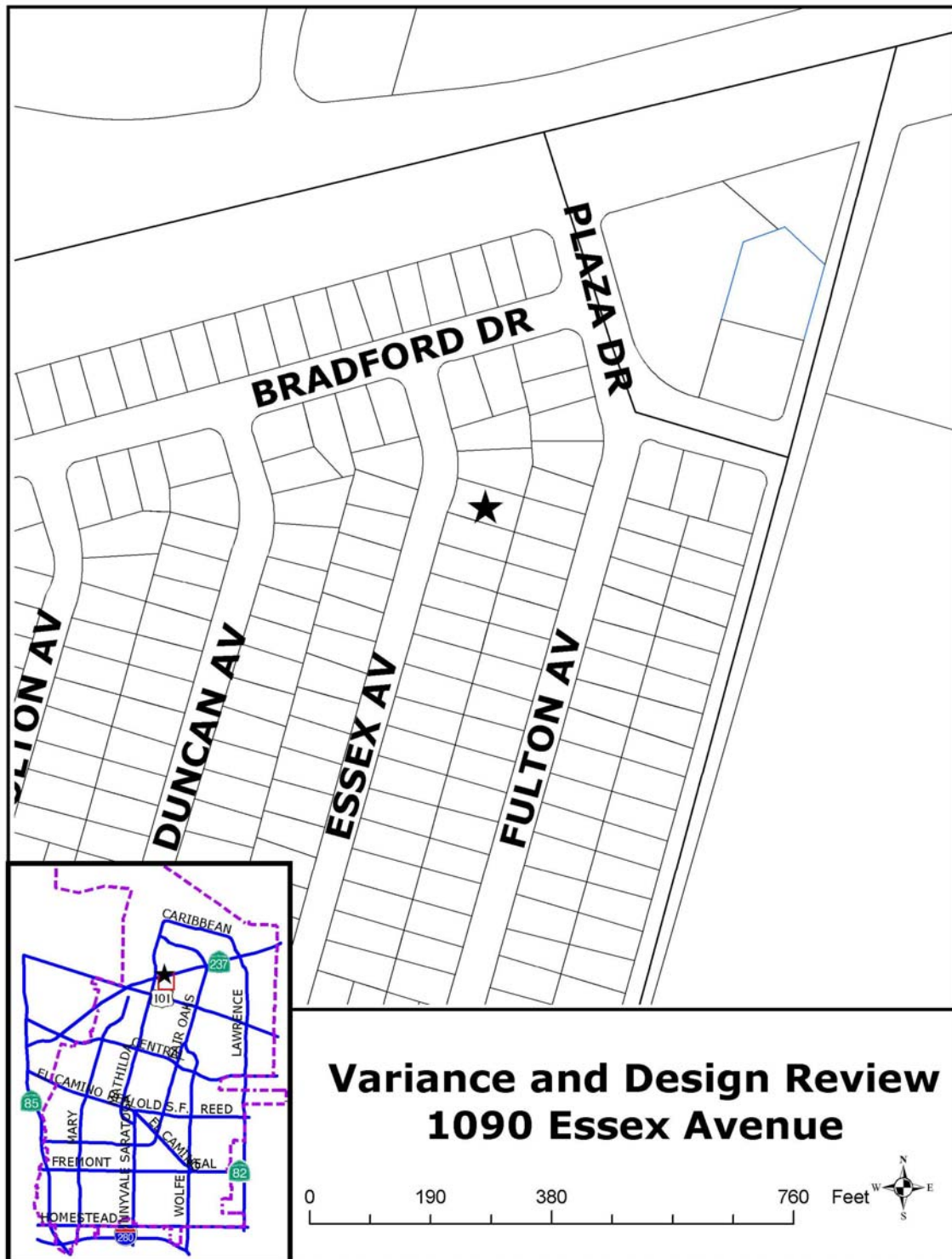
East Single Family Residential

West Single Family Residential

Issues Floor Area Ratio, Setbacks

Environmental Status A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

Staff Recommendation Approve with Conditions



PROJECT DATA TABLE

	<u>EXISTING</u>	<u>PROPOSED</u>	<u>REQUIRED/ PERMITTED</u>
General Plan	Low Density Residential	Same	---
Zoning District	R-0	Same	---
Lot Size (s.f.)	5,251	Same	6,000 min.
Gross Floor Area (s.f.)	1,596	3,265	No max.
Lot Coverage (%)	30%	38%	40% max.
Floor Area Ratio (FAR)	30%	62%	No max
Building Height (ft.)	Approx. 16'	27'11"	30 max.
No. of Stories	1	2	2 max.
Setbacks (facing prop.)			
• Front	25'4"	25'4"	20' min.
• Left Side	5'6"	5'6"	4 min. (12' combined required)
• Right Side	5'	5'	4 min. (12' combined required)
• Rear	37'7"	26'2"	20 min. (10 ft permitted with 25% encroachment)
• Front (second story)	N/A	27'4"	25 min.
• Left Side (second story)	N/A	7"	7 Min. (18' combined required).
• Right Side (second story)	N/A	5' (portion of home is set back 12'8")	7 min. (18' combined required)
• Rear (second story)	N/A	20'6"	20' min.
Parking			
• Total No. of Spaces	4	Same	4 min.

	<u>EXISTING</u>	<u>PROPOSED</u>	<u>REQUIRED/ PERMITTED</u>
• No. of Covered Spaces	2	Same	2 min.

- Shaded section denotes requested variance

ANALYSIS

Background

Previous Actions on the Site: There are no previous planning applications related to this site.

Description of Proposed Project

The proposed project is for a first and second story addition to an existing one story home. The application also includes a Variance from Sunnyvale Municipal Code 19.34.030 and 19.34.080 to allow reduced combined side yards for the first and second story. The minimum side yard of 7 feet would not be met for the second story as 5 feet is requested for a portion of the addition. The original application was filed over a year ago and has gone through numerous changes over the months. More recently, the applicant has indicated that the project should go forward with the approval process. All proposed additions that exceed 45% Floor Area Ratio shall be reviewed by the Planning Commission

Since the advertising of the public hearing, the applicant has made some alterations to the proposal in an effort to reduce the floor area ratio to approximately 62%. The applicant has increased the combined second story setback to 12 feet, 8 inches where 12 feet was originally requested towards the rear portion of the home; however, the overall combined side yard setback remains at 12 feet as the vaulted family room area was not decreased.

Environmental Review

A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions, and City guidelines. Class 1 Categorical Exemptions include minor additions to existing facilities.

Design Review & Variance

Use: The site is currently developed as a one-story single-family residence. The applicant proposes to add approximately 432 square feet to the first story and add 1,237 square feet for a new second story. The total floor area of the new home would be 3,265 square feet.

Site Layout: The site is located in the north section of town within a small neighborhood situated between two major transportation arterials (Freeways 101 and 237). The subject site is a substandard lot in terms of lot size (5,251 s.f.) and lot width (50 ft.). The existing structure currently has a combined side yard setback requirement of 10 feet, 6 inches which does not meet the 12 foot requirement. There are many other homes in the neighborhood that have this pre-existing situation; however, the size of properties may vary from lot to lot and certain homes may have unique setbacks. The proposal requests that the first floor extend 10 feet towards the rear along the same wall that was originally constructed. (See Attachment #3 for more details related to the subject site.)

Floor Plan: The proposal includes the additional of floor area to the first story including space for a larger kitchen, and office area. Additionally, the plan indicates a large dining room. The second floor will contain a master bedroom and four additional bedrooms. Two new bathrooms would be located on the second floor. The applicant also proposes a vaulted ceiling area at the front of the home. This area does not count towards floor area; however, the area is required to meet setbacks. The applicant wishes to extend into the required setback at this portion of the home. The applicant proposes to attach the existing chimney to this proposed wall. The applicant has worked to reduce the overall floor area ratio from 65% to approximately 62%. The two-story homes in the neighborhood range from a Floor Area Ratio of 45% to 56%. Staff recommends Condition of Approval #6 which states that a new design shall be submitted that reflects a further reduction to 56%. This would create a home that is more compatible in size and scale to other residences in the neighborhood.

Architecture: The architecture of the homes is typical of the style of single family housing that was originally developed in this neighborhood in the 1950's. A few modest sized additions in the neighborhood have been built over recent years. The overall architecture of additions in the neighborhood has remained relatively consistent. Many of the single story homes consist of a hipped roof design with a gable element incorporated with the garage. Second story additions in the neighborhood have utilized a gable and hipped roof elements. A hipped roof will remain along the first-story roof line. The proposed addition will utilize similar materials and color as the original structure. Wood

siding would be utilized along each elevation as noted on the plans in Attachment #3. Roof material will consist of 50 year dimensional composition as noted in Condition of Approval #8. Bay windows are also proposed for each story at the front of the home. (See "Elevations" in Attachment #3 for more detail.)

Additional modification is recommended by staff in regards to the appearance of the front entryway of the home. As noted in the Single Family Design Techniques, the entry eaves should not be substantially higher than the first floor eaves. Condition of Approval #7, states that the applicant shall work with staff to redesign the appearance of the front entryway of the home.

The second story setback would provide an additional two feet setback from the first story at the front of the home. There is no variance required at this location, as the first story already exceeds the twenty foot requirement. A combined second story setback of 12 feet is proposed along the side yards; however this does not meet the requirement of 18 feet. This requirement is not met only at a portion of the right side (south) of the home. In an effort to improve the visual aesthetics of the structure, the applicant proposes to extend a part of the vaulted first story section of the home which would attach to the chimney. Staff feels that further reduction of this vaulted area could accommodate the required setback and provide a more compatible appearance in terms of mass and scale within the neighborhood (Condition of Approval #5). The applicant is also proposing a second story balcony that is cantilevered at the rear of the home. This area does not count towards floor area but meets setback requirements. The overall height of the home is proposed to reach a maximum peak of 27 feet, 11 inches.

In order to mitigate potential privacy concerns, Staff is recommending that the windows be modified to clerestory for the master bedroom and bedrooms #3 & #5, as noted in the floor plan (Condition of Approval #4). The higher positioned windows will limit possible visual intrusions to the neighboring properties.

The following Guidelines were considered in the analysis of the project architecture.

Design Policy or Guideline (Architecture)	Comments
<i>3.1 Respect neighborhood home orientation and setback patterns.</i>	The proposed addition is setback from the first floor at certain locations; however, staff feels that further reduction on the proposed second floor addition would improve the overall mass and scale of the structure considerably. More recent two-story additions in the neighborhood have incorporated a smaller second story with increased setbacks.
<i>3.6C Windows should be placed to minimize views into the living spaces and yard spaces near neighboring homes. When windows are needed and desired in side building walls, they should be modest in size and not directly opposite windows on adjacent homes.</i>	As conditioned, modifications are required to mitigate potential privacy concerns to adjacent properties. The windows of the “Master Bedroom and “Bedrooms 3 & 5” will be modified to be clerestory.

Landscaping: The project site meets landscaping standards for properties located in the R-0 Zoning District.

Parking/Circulation: The site provides the required two covered spaces and two uncovered spaces as required by Sunnyvale Municipal Code 19.46.050.

Compliance with Development Standards

The R-0 Zone does not restrict the Floor Area Ratio (FAR) for a home, but instead utilizes FAR as a threshold that triggers Planning Commission review for homes over 45%. The proposed 62% FAR is, therefore, in conformance with R-0 development standards upon approval of the Design Review by Planning Commission.

The site meets most standard development requirements with the exception of lot size and side yard setbacks. The 5,251 square foot property does not meet the required minimum lot size of 6,000 square feet for the R-0 Zoning District. Additionally, the property currently has a non-conforming combined side yard setback of 10 feet, 6 inches where 12 feet is required. As noted in the report, the applicant proposes to extend the nonconforming setback 11’ 5” along the north side of the structure. Additionally, the applicant proposes a combined

two-story setback of 12 feet where 18 feet is required. Staff supports the extension of the first story but cannot make the findings for the encroachment into the side yard for the second story. The proposed addition complies with the solar access requirements of Sunnyvale Municipal Code Section 19.56.020., as less than 10% of the rooftops of adjacent homes the will be shaded by the new addition.

Expected Impact on the Surroundings

The proposed structure is situated in a neighborhood that consists predominantly of one-story homes. Most of the recent additions in the neighborhood have remained close to the 45% F.A.R with larger additions ranging closer to 56%. The proposed two story addition would be considered amongst the largest homes, in the R-0 Zoning District, of properties located in this part of the City. Staff recommends that the proposal be reduced to 56% Floor Area Ratio in an effort to be more compatible to other homes in the neighborhood.

Staff believes that reductions in floor area could be made in the following areas of the proposed addition: Reduction of the proposed first-story extension, modify the second floor hallway and reduction to the area of the master bedroom. The applicant is not limited to those areas, but a reduction in various locations would provide for a large home that is more compatible in scale to neighboring homes and still meets the intentions of the property owner.

Findings, General Plan Goals and Conditions of Approval

Staff was able to make the required Findings based on the justifications for the Variance and Design Review.

- Findings and General Plan Goals are located in Attachment 1.
- Conditions of Approval are located in Attachment 2.

Fiscal Impact

No fiscal impacts other than normal fees and taxes are expected.

Public Contact

Notice of Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none">• Published in the <i>Sun</i> newspaper• Posted on the site• Mailed to three adjacent properties along the street and two properties in each direction across the street.	<ul style="list-style-type: none">• Posted on the City of Sunnyvale's Website• Provided at the Reference Section of the City of Sunnyvale's Public Library	<ul style="list-style-type: none">• Posted on the City's official notice bulletin board• City of Sunnyvale's Website• Recorded for SunDial

Staff has not received any written comments from surrounding properties regarding this proposal.

Alternatives

1. Approve the Design Review and Variance with attached conditions
2. Approve the Design Review and Variance with modified conditions
3. Deny the Variance and approve the Design Review with attached conditions
4. Deny the Variance and approve the Design Review with modified conditions
5. Deny the Design Review and Variance.

Recommendation

Alternative 1

Prepared by:

Ryan Kuchenig
Project Planner

Reviewed by:

Fred Bell
Principal Planner

Approved by:

Trudi Ryan
Planning Officer

Attachments:

1. Recommended Findings
2. Recommended Conditions of Approval
3. Site and Architectural Plans
4. Photos of other homes in the neighborhood.

Recommended Findings – Design Review

1. The project's design and architecture will be in conformance with the requirements of the "Single Family Home Design Techniques."

Although, the applicant must accommodate some alterations related to design and overall floor area of the proposal, the overall architecture of the new addition will be in conformance to requirements of the "Single Family Design Techniques". Planning staff feels the project with modifications will be consistent with two-story homes in the neighborhood and other homes in the City. The overall architecture and materials that will be utilized is also compatible to other homes in the area. Increased setbacks and reductions to the floor area will ensure that the new addition is in character with the scale of nearby homes.

Recommended Findings - Variance

1. Because of exceptional or extraordinary circumstances or conditions applicable to the property, or use, including size, shape, topography, location or surroundings, the strict application of the ordinance is found to deprive the property owner or privileges enjoyed by other properties in the vicinity and within the same zoning district.

The proposed project is located on a site that is substandard in terms of lot size and lot width. Furthermore, the existing setbacks of the first story were built at a distance that is no longer considered to meet requirements for the minimum combined side yard. The setbacks are considered legal non-conforming. The adjacent pie shaped property located adjacent to the north has a larger side yard setback and the impact should be minimal. Although the area does not include livable area, staff cannot make the finding for the encroachment into the second story setback. The applicant has indicated for aesthetic purposes that this encroachment is warranted. Staff feels that the increased setbacks will not be a negative aesthetic value to the proposal and that the added distance should reduce the overall mass of the home.

2. The granting of the Variance will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the same zoning district. Staff feels that the extension of the existing first-story wall within the required combined side yard will not cause a negative impact to neighboring properties. At this location, the adjacent home is located at an increased distance from the side property line. Staff feels that a second-story

encroachment into the required yard is not warranted and the reduction may improve the aesthetics of the second-story addition.

3. Upon granting of the Variance, the intent and purpose of the ordinance will still be served and the recipient of the Variance will not be granted special privileges not enjoyed by other surrounding property owners within the same zoning district. The added first story extension within the required combined side yard is located along an existing non-conforming setback. The lot width of the property is seven feet short of the required interior lot for properties in the R-0 Zoning District. Staff feels that this encroachment is warranted. In terms of the second story setbacks, staff notes that although some additions were built prior to requirement of increased setbacks; recent additions in the neighborhood have accommodated the need for increased setbacks on the second-story.

Recommended Conditions of Approval - Design Review and Variance

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances and Resolutions, the Permittee expressly accepts and agrees to comply with the following Conditions of Approval:

1. The one-year expiration date of the Design Review shall be measured from the date of the approval by the final review authority at a public hearing if the approval is not exercised.
2. The Conditions of Approval shall be reproduced on one page of the plans submitted for a building permit for this project.
3. Prior to the issuance of a building permit, final design details pertaining to the roof form for the entrance overhang and the trim materials shall be reviewed by staff.
4. The windows positioned towards the side yard for the Master Bedroom and Bedrooms #3 and #5, as labeled on the site plan, shall be modified to clerestory.
5. Prior to issuance of a building permit, reduce the vaulted ceiling area of the addition to meet the required 18 foot combined second story side yard requirement.
6. Prior to issuance of a building permit, reduce the overall Floor Area Ratio of the proposed home to 56%.
7. Prior to issuance of a building permit, the applicant shall submit an alternative design for the front entryway. The design shall be subject to the review and approval of the Directory of Community Development.
8. The new home shall utilize a 50-year dimensional composition roof material or equivalent.
9. This project must be in substantial conformance with the approved plans. Any major site and architectural plan modifications shall be treated as an amendment of the original approval and shall be subject to approval at a public hearing except that minor changes of the approved plans may be approved at the staff level by the Director of Community Development.
10. Obtain building permits.

2002 0929

2004 HOME IMPROVEMENT REMODEL

FOR:

THE SARKISSIAN RESIDENCE

1090 ESSEX AVENUE
Sunnyvale, California

PROJECT DATA

OWNER
George & Louise Sarkissian
1090 Essex Avenue
Sunnyvale, CA
94089-1000
(415) 961-1000
(415) 961-1000 (PH. + FAX)

PROJECT DESIGNER/ENGINEER
WERNER ENGINEERING, INC.
(415) 961-1000 (PH. + FAX)

CONTRACTOR
110-11-016

TYPE OF CONSTRUCTION
REMODEL

OCCUPANCY
RESIDENTIAL

TOTAL LOT AREA
5251 S.F.

AREA ANALYSIS (1st FLOOR):
(E) RESIDENCE 1088 S.F.
(N) BLDG. EXTENSION 508 S.F. 432
TOTAL 1st FLOOR AREA 1596 S.F.

AREA ANALYSIS (2nd FLOOR):
(N) 2nd FLOOR 1237 S.F.
TOTAL 2nd FLOOR AREA 1237 S.F.

TOTAL LOT COVERAGE 2837 S.F.

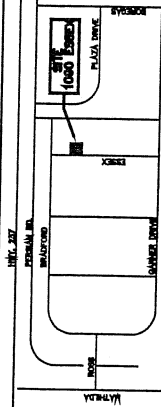
LOT COVERAGE:
F.A.R. (TOTAL) 2.251
2.251 / 5.251 (100%) = 39.1%

SCOPE

- CONCEPTUAL PLAN REVIEW SCOPE INCLUDES THE FOLLOWING:
- DELTA (E) EXISTING LOWER STRUCTURE 12'-5". NEW FIRST STORY EXTENSION 5'-0" OVER EXISTING LOWER STRUCTURE.
 - ENCLOSE EXISTING PORCH AS PART OF NEW VAULTED FAMILY ROOM.
 - REMODEL ENTIRE LOWER RESIDENTIAL FLOOR PLAN INCLUDING EXISTING BATHROOM.
 - PROVIDE NEW SECOND STORY ADDITION WITH 18' TOTAL SETBACK PER CITY OF SUNNYVALE.
 - PROPOSED SECOND STORY ADDITION INCLUDES MASTER BEDROOM, BAY WINDOW, MASTER BATHROOM, FOUR FAMILY BEDROOMS, AND BATHROOM.
 - SCOPE INCLUDES PROPOSED 6'x30' CANTILEVERED REDWOOD BALCONY.
 - EXTEND OR REPLACE CHIMNEY AS REQUIRED TO ACCOMMODATE NEW 2ND STORY.

VICINITY MAP

SCALE: N.T.S.

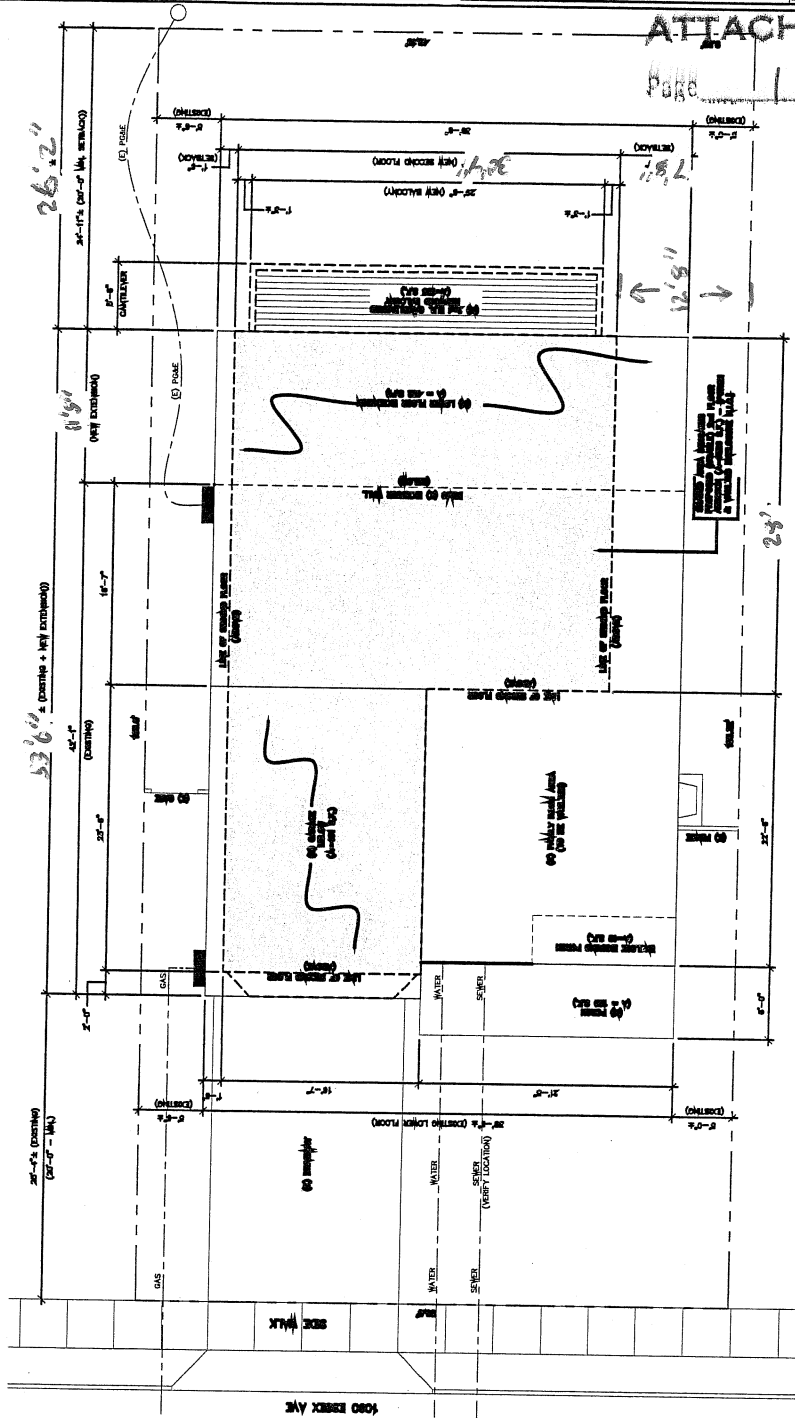


SHEET INDEX

- T1.0 TITLE SHEET, SITE PLAN, & PROJECT DATA
A1.0 1st FLOOR PLAN, ROOF PLAN, & SECTIONS
A2.0 2nd FLOOR PLAN, ROOF PLAN, & SECTIONS
A3.0 EXTERIOR ELEVATIONS

SITE PLAN

SCALE: 1" = 5'



ATTACHMENT 3
Page 1 of 4

2004 Home Improvement Remodel
PROJECT DATA, SCOPE, VICINITY MAP,
SHEET INDEX, & SITE PLAN

T1.0
SHEET INDEX, & SITE PLAN

arkissian Residence
Sunnyvale, Ca.
1090 Essex Avenue

Werner Engli
Structural Design,
Residential & Commercial
Sunnyvale, Ca.

1090 Essex Avenue
Sunnyvale, Ca.
94089-1000
(415) 961-1000
(415) 961-1000 (PH. + FAX)

ACTION	DATE	BY	DESCRIPTION
1	11-18-01	AW	RELEASE FOR OWNER REVIEW
2	02-28-02	AW	RESPONSE TO OWNER
3	02-28-02	AW	PLANNING DEPARTMENT REVISION SET #1
4	02-19-02	AW	PLANNING DEPARTMENT REVISION SET #2
5	11-19-02	AW	PLANNING DEPARTMENT REVISION SET #3
6	01-25-04	AW	PLANNING DEPARTMENT REVISION SET #4

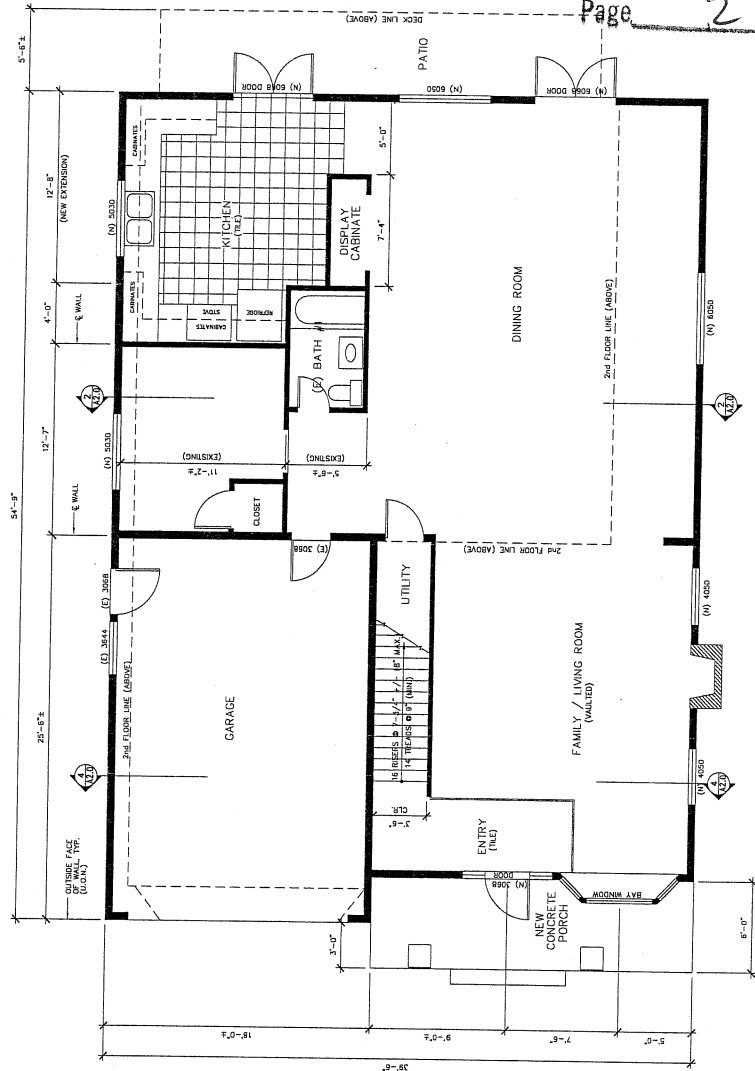
Werner Engineering
Structural & Commercial
Residential & Commercial
Monte Vista, CA
Phone & Fax:
(415) 647-8100

Arkissian Residence
Sunnyvale, CA
1090 Essex Avenue

2004 Home Improvement Remodel		FIRST FLOOR PLAN	
DATE	11-18-01	SCALE	AS NOTED
DRAWN	AW	JOB	2001-10
SHEET	A1.0		

ATTACHMENT 3

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1 PROPOSED 1st FLOOR PLAN
SCALE: 1/4" = 1'-0"

3 ROOF PLAN (REDUCED SCALE)
A2.0 SCALE : 3/16" = 1'-0"



